

REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-12 are pending in the application, with claim 1 being the sole independent claim. Claims 1, 7, and 12 have been amended herein. Support for these changes can be found in the original application, as filed. Therefore, no new matter has been added.

Initially, Applicants note with appreciation the indication that claims 1-12 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, first and second paragraphs, set forth in the above-noted Office Action. Applicant submits that these claims have been so rewritten and, therefore, should be allowable.

In the Office Action, the Examiner objected to Figure 1 on formal grounds. Accordingly, Applicant has requested that Figure 1 be amended herein to include the label --PRIOR ART--. Applicant requests favorable consideration of amended Figure 1.

Turning now to the statutory rejections, claims 1-12 were rejected under 35 U.S.C. §112, first paragraph, for reciting subject matter not adequately described in the specification. Specifically, the Examiner objected to the use of the phrase “generally arcuate” to describe the cross section of the pulverizing roller. Without conceding the propriety of this rejection, and to expedite prosecution, Applicant has amended claim 1 to clarify the recitation of the outer peripheral surface of the pulverizing roller. Applicant submits that this change overcomes this rejection, and, as such, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph.

Also, claims 2-7 and 12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for various reasons. To obviate this rejection, claim 1, from which

claims 2-6 ultimately depend, has been amended to provide proper antecedent basis for “the substantially flat section;” claim 7 has been amended to recite “the ‘substantially’ flat section;” and claim 12 has been amended to recite “‘a’ radially outer portion.” In light of these changes, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Applicant submits that the foregoing changes overcome the rejections under 35 U.S.C. §112, first and second paragraphs. Applicant further submits, therefore, that the instant application is in condition for allowance. Favorable reconsideration, withdrawal of the objections and rejections set forth in the above-noted Office Action and early Notice of Allowance are requested.

Applicant’s undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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